

ORDINANCE NO. 61

Amendment 2018-01-61

**AN ORDINANCE AMENDING ORDINANCE 61 OF THE CITY OF ROPESVILLE RELATING TO SEWER LINES, LATERAL LINES, CREATING AN OFFENSE; AND REPEALING PART OF ORDINANCE NO. 61, ADDING CODE RELATING TO WASTEWATER LEAKS.**

**AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM WITHIN THE CITY OF ROPESVILLE, TEXAS; AND PROVIDING PENALTIES BY A FINE OF NOT TO EXCEED FIVE HUNDRED DOLLARS FOR VIOLATION THEREOF; ENACTING PROVISIONS INCIDENT AND RELATING TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE.**

**WHEREAS**, the City of Ropesville, Texas, in accordance with plans and specifications, is in the process of amending the rules and regulation for the operations of the sanitary sewage disposal system for the City of Ropesville, and;

**WHEREAS**, the City of Ropesville, Texas, has found that the following rules and regulations, for the use of said sewer system, be established and enacted;

**WHEREAS**, The purpose of this ordinance is to provide for public health and general welfare, and efficient and effective provision of the city services and the protection of environment of the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROPESVILLE, TEXAS:**

**ARTICLE I**

Use of Public Sewers Required

Section 1. It shall be unlawful for any person to place, deposit, or permit to be deposited in an insanitary manner upon public or private property within the City of Ropesville, or in any area under jurisdiction of said city, any human or animal excrement, garbage, or other objectionable wastes.

Section 102. It shall be unlawful to discharge to any natural outlet within the City of Ropesville, or in any area under jurisdiction of said city, any sanitary sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

Section 103. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage. Septic tanks may be used in areas where the city cannot provide main sewer lines, these septic tanks must follow State and Local guide lines for installations. (See section Article II 201-207)

Section 104. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated with in the city and abutting on any street, alley, or right-of-way in which there is now located, or may in the future be located, a public sanitary or combined sewer of the city, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within ninety (90) days after date of official notice to do so, provided that said public sewer is within one hundred (100) feet of the property line.

## **ARTICLE II**

### **Private Sewage Disposal**

Section 201. Where a public sanitary or combined sewer is not available under the provisions of Section 104, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this article.

Section 202. Before commencement of construction of a private sewage disposal system the owner shall first obtain a written permit signed by the City Council. The application for such permit shall be made on a form furnished by the city, which the applicant shall supplement by any plans; specifications and other information are deemed necessary by the City Council. A permit and inspection fee of \$50.00 Dollars shall be paid to the City Treasurer at the time the application is filed. All construction must be completed by a State certified plumber.

Section 203. A permit for a private sewage disposal system shall not become affective until the installation is completed to the satisfaction of the City Council. The City employee or City Council shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the City Council when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within forty-eight (48) hours of the receipt of notice by the Water/Sewer Superintendent.

Section 204. The, type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the Department of Public Health of the State of Texas. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than six thousand (6,000) square feet. No septic tank or cesspool shall be permitted to discharge to any public sewer of natural outlet.

Section 205. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 104, a direct connection shall be made to the public sewer in compliance with this ordinance, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

Section 206. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the city.

Section 207. No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by the Health Officer.

### **ARTICLE III**

#### **Building Sewers, Connections, and Permits**

Section 301. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the City Council.

Section 302. The owner or his agent shall make application on the special form furnished by the city for a permit to connect into the city sewer system. A permit and inspection fee of \$1.00 must accompany the application.

The monthly rate to be charged for the sewer services shall be as for each residence, for all commercial business and churches, and for the public schools. One bill shall be rendered for the water and sewer service, and shall be paid at the same time. In the event of delinquency, the debtor may be disconnected from the system in the same manner as he may now be disconnected for failure to pay for the water services, and shall not be reconnected until all delinquent debts have been paid.

Section 303. All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building of the building sewer.

Section 304. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on any interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

Section 305. The building sewer shall be schedule 40 pipe or equal; verifiable alley sewer pipe, or other suitable material approved by the City Council. Joints shall be tight and waterproof.

Section 306. The sizes and slope of the building sewer shall be subject to the approval of the City Council, but in no event, shall the diameter be less than four (4) inches. The slope of such 4-inch pipe shall be not less than one-eighth (1/8) inch per foot.

Section 307. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three (3) feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at uniform grade and in straight alignment in so far as possible. Changes in direction shall be made only with properly curved pipe and fittings.

Section 308. All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the Water and Sewer Superintendent. Pipe laying and backfill shall be performed in accordance with ATSM specifications C12-19 except that no backfill shall be placed until the work has been inspected.

Section 309. The connection of the building sewer into the public sewer shall be made at the "Y" branch, if such branches are available at a suitable location. If the public sewer is twelve (12) inches in diameter or less, and no properly located "Y" branch is available, the owner shall at his expense install a "Y" branch in the public sewer at the location specified by the Water and Sewer Superintendent. Where no properly located "Y" branch is available, a neat hole may be cut into the public sewer to receive the building sewer, made by a State certified plumber, with entry in the downstream direction at an angle of about forty-five (45°) degrees. A forty-five (45°) degree ell may be used to make such connection, with the spigot and cut so as not to extend past the inner surface of the public sewer. The invert of the building sewer at the point of connection shall be at a higher elevation than the invert of the public sewer. A smooth and neat joint shall be made, and the connection made secure and watertight by encasement in concrete. Special fittings may be used for the connection only when approved by the Water and Sewer Superintendent.

Section 310. The applicant for the building sewer permit shall notify the Water and Sewer Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Water and Sewer Superintendent or his representative after the State certified plumber has made the installation.

Section 311. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city.

#### **ARTICLE IV**

**Section 401.** Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

- (a) Any liquid or vapor having a temperature higher than 150°F.
- (b) Any water or waste which may contain more than 100 parts per million, by weight, of fat, oil, or grease.
- (c) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
- (d) Any garbage that has not been properly shredded.
- (e) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substance capable of causing obstruction the flow in secure or other interference with the proper operation of the sewage works.
- (f) Any waters or wastes having a pH lower than 5.5 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- (g) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure, hurt or interfere with any sewage treatment process, constitutes a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.
- (h) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.
- (i) Any noxious or malodorous gas or substance capable of creating a public nuisance.

**Section 402.** Grease, oil, and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, and other harmful ingredients; except that such interceptors shall not be required for private living

quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with removable covers which, when bolted in place, shall be gastight and watertight.

## ARTICLE V

### Sewer Stoppage-Clogged line – Aged Sewer Line Problems

Section 501. The City Council of Ropesville finds that it is in the public health, welfare and interest to:

1. Require repair of defective private sewer lines; and
2. Require maintenance of private sewer lines; and
3. Private lateral lines (sewer lines) means the segment of the sanitary sewer system located on private property that connects a residence or business to the City's sewer line system.

### Section 502. Owner Maintenance required.

The owner of the property containing a private lateral sewer line shall maintain the line. Maintenance under this section includes:

1. Clearing obstructions from the private lateral;
2. Repairing a defect in the private lateral that allows the introduction of extraneous flow or debris into the sanitary sewer system;
3. Repairing a defect in the private lateral that allows the discharge of sewage on the property; and
  - a) A defect may include:
    - a. Evidence of pipe or joint deterioration;
    - b. Root intrusions into a pipe that separates a pipe joint or enlarges an existing crack;
    - c. A lack of a necessary cleanout cap or manhole cover;
    - d. A downspout, drain, or other connection that allows other water or debris to enter the sewer system;
    - e. A flaw that allows the discharge of sewer on the property or the introduction of extraneous water into the sanitary sewer system.

### Section 502. Repair or Replacement Required Standards.

Any person or property owner that needs to replace or repair his/her wastewater/sewer lines must notify the city of the update to their private sewer line. The improved line must be inspected by the City Water/Wastewater Superintendent.

1. A property owner shall repair or replace or unclog a defective private sewer line from the main line riser to the building. The property owner shall pay all cost, and all expense for the unclogging of the sewer line:
  - a. All costs and expense incident to the sewer line repair or replacement shall be borne by the owner. The owner shall indemnify the city from any loss.
2. The property owner shall notify the city before performing any repair or replacement;
3. If sewage is exposed on the property in a manner that makes it a potential public health hazard the property owner must:
  - a. Stop the discharge of sewer immediately;
  - b. Complete all necessary repairs or replacement of the sewer line immediately, but not later than the 30<sup>th</sup> day after the owner has notice the exposed sewage.
  - c. A person who repair an existing sewer line, or installs a new or rehabilitated line, shall reform the repair or installation as prescribed by the City's Utility wastewater service connection standard and the Plumbing code.

Section 503. If the sewer line is blocked or has a stoppage, the property owner is responsible for the cost of unblocking the line from the owner property sewer line from the building or structure to the main sewer line. This shall include the riser attached to the main sewer line.

Section 504. When the sewer line is clogged or has a stoppage in the sewer line in the part of the pipe or sewer line called the elbow, (located at the end of the line near the main sewer line), or at the sewer riser attached to the main sewer line; it shall be the property owner's responsibility to repair or unstop the line by replacement or repairing the line at the property owner's cost.

Section 504. If the sewer stoppage or clogged line is at the riser that is attached to the main sewer line:

1. When the clogged line cannot be unstopped by reasonable method;
2. The clogged sewer line is located at the sewer main line riser, and the riser itself shall need to be repair or replace;

3. The property owner must hire a State certified plumber, or hire the City of Ropesville Water/Wastewater Superintendent to replace or repair the line.
4. All line repair or replacement must be inspected by the Water/Wastewater Superintendent before line is recovered.
5. It shall be known in this Ordinance that the City of Ropesville is only responsible to unstop or unclog the main sewer line for the City of Ropesville.

Section 505. Inspection and testing requirements.

After a property owner has repaired or replaced a defective sewer line, the City Water/Wastewater superintendent shall:

1. Inspect the line to determine that it complies with the service connection standards and the Plumbing code;
2. If the inspection shows that the sewer line fails the inspection, the property owner shall perform additional repair as required by the City Water/Wastewater superintendent to correct the defect.

All State regulation and standard by Texas Commission on Environmental Quality shall be followed by the City of Ropesville. This shall include septic systems for permitting, and construction requirements. Advice for property owners may be found on the web site for TCEQ @ <https://tceq.texas.gov> .

## **ARTICLE VI**

### **Penalties**

Section 601. Any person found to be violating any provision of this ordinance shall be served by the city with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Section 602. A property owner commits an offense if the owner fails to repair a defective sewer line in compliance with the Plumbing code or the City standards, and has failed to correct a condition interfering with the property operation of the sewer system. A property owner commits an offense if the owner fails to stop the discharge of sewerage and to remediate the site not later than 24 hours after the owner received notice from the City of the exposed sewage on their property.

Section 603. Any person who shall continue any violation beyond the time limit provided for in Section 501, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in an amount not exceeding five hundred (\$500.00) dollars for



each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

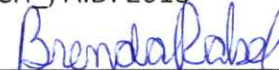
## **ARTICLE VII**

### Ordinance in Force

Section 701. This ordinance shall be in full force and effect from and after its passage, approval, recording, and publication as provided by the law.

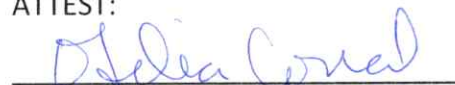
Section 702. The fact that it is to the best interests of the City of Ropesville, Texas, that the operation began as soon as possible of the sewer distribution system of the City of Ropesville, Texas, and that no ordinance now exists requiring connections to be made to the city sewer and regulating the method of operating such City sewer system, creates an imperative public necessity and causes this ordinance to be an emergency measure for the immediate preservation of the public property, health and safety, as well as a more efficient administration of the public utility system of said city, thereby demanding that the rule to the effect that no ordinance shall be passed on the day on which it shall be introduced, be suspended, and this ordinance is hereby declared an emergency measure by the unanimous vote of the City Council, and the same shall take effect from and after its passage, and it is so ordained.

Section 703. Passed, approved and adopted by the City Council of the City of Ropesville, Texas, on this the 13 day of MARCH, A.D. 2018



\_\_\_\_\_  
MAYOR, CITY OF ROPESVILLE, TEXAS

ATTEST:



\_\_\_\_\_  
CITY SECRETARY, CITY OF  
ROPESVILLE, TEXAS

First Reading on this the 13 day of FEBRUARY, 2018

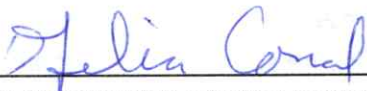
Second Reading on this the 13 day of MARC \_\_\_\_, 2018

THE STATE OF TEXAS X

COUNTY OF HOCKLEY X

CITY OF ROPESVILLE X

I, the undersigned City Secretary of the City of Ropesville, Texas, do hereby certify that the above and foregoing instrument is a true and correct executed copy of a certain ordinance duly passed and adopted by the City Council of the City of Ropesville, Texas, on the \_\_13\_\_ day of \_\_MARCH\_\_, A.D. 2018 as the same now appears of record in the Minutes of the City Council of said City, and which ordinance establishes rules and regulations for the operation of the sanitary sewer system of the City of Ropesville, Texas this the \_\_13\_\_ day of \_\_MARCH\_\_, A.D. 2018.

  
\_\_\_\_\_  
CITY SECRETARY, CITY OF ROPESVILLE,  
TEXAS.

(CITY SEAL)